
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

AKIL K. CARTER, PAULETTE H.
BARR, and SANDRA K. ADAMS,

Plaintiffs,

v.

CITY OF WAUWATOSA, JAMES
MACGILLIS, PATRICK KAINE, LUKE
VETTER, NICOLE GABRIEL, DEREK
DIENHART, JOHN DOES 1–3, and
JANE DOES 1–3,

Defendants.

Case No. 19-CV-1422-JPS

JUDGMENT

Jury Verdict. This action came before the Court, presided over by the Honorable J.P. Stadtmueller, for a trial by jury. The issues having been tried and the jury having rendered a Special Verdict (ECF No. 152) on March 14, 2023; and the Court having previously considered Defendants' motion for summary judgment and Plaintiffs' amended motion for partial summary judgment (ECF Nos 95, 100, 108):

IT IS ORDERED AND ADJUDGED that Defendants' motion for summary judgment (ECF No. 95) be and the same is hereby **DENIED** (ECF No. 108);

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiffs' amended motion for partial summary judgment (ECF No. 100) be and the same is hereby **DENIED** (ECF No. 108);

IT IS FURTHER ORDERED AND ADJUDGED that Defendants John Does 1–3 and Jane Does 1–3 be and the same are hereby **DISMISSED** from this action (ECF No. 108);

IT IS FURTHER ORDERED AND ADJUDGED that Count One of Plaintiffs' Complaint, ECF No. 1-2, be and the same is hereby **DISMISSED** insofar as it may have been construed as a Fourth Amendment claim of unreasonable investigation, excessive force, and/or failure to intervene (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that Count Two of Plaintiffs' Complaint, a claim of liability pursuant to *Monell v. Department of Social Services of the City of New York*, 436 U.S. 658 (1978), be and the same is hereby **DISMISSED** (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that Count Three of Plaintiffs' Complaint, a claim of negligence based on the circumstances under which the traffic stop was initiated and continued, be and the same is hereby **DISMISSED** (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that Counts Four, Five, and Six of Plaintiffs' Complaint, Wisconsin constitutional claims for due process, to equal treatment, and to be free from unreasonable search and seizure, be and the same are hereby **DISMISSED** (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that Count Seven of Plaintiffs' Complaint, a claim of negligent infliction of emotional distress, be and the same is hereby **DISMISSED** (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that Count Eight of Plaintiffs' Complaint, a claim of negligent hiring, training, and promotion, be and the same is hereby **DISMISSED** (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that Count Nine of Plaintiffs' Complaint, a claim of false imprisonment, be and the same is hereby **DISMISSED** (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that Count Ten of Plaintiffs' Complaint, a claim of intentional infliction of emotional distress, be and the same is hereby **DISMISSED** (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiffs' requests for declaratory, injunctive, or other equitable relief be and the same are hereby **DISMISSED** (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that the City of Wauwatosa, James MacGillis, Luke Vetter, Nicole Gabriel, and Derek

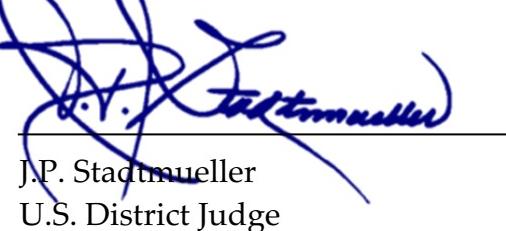
Dienhart be and the same are hereby **DISMISSED** from this action (ECF No. 165);

IT IS FURTHER ORDERED AND ADJUDGED that Defendant Patrick Kaine did not seize Plaintiffs without reasonable suspicion on September 2, 2018 (ECF No. 152);

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiffs Akil K. Carter, Paulette H. Barr, and Sandra K. Adams shall have and recover nothing from Defendant Officer Patrick Kaine on Plaintiffs' unreasonable seizure claim (ECF No. 152); and

IT IS FURTHER ORDERED AND ADJUDGED that this action be and the same is hereby **DISMISSED** on the merits, together with Defendants' costs as may be taxed by the Clerk of the Court (ECF Nos. 149, 165).

APPROVED:



J.P. Stadtmueller
U.S. District Judge

GINA M. COLLETTI

Clerk of Court

s/ Jodi L. Malek

By: Deputy Clerk

May 4, 2023

Date